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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057,704	01/24/2002	Scott H. Robinson	42390.P10796	3621

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EXAMINER
WALSH, JOHN B

ART UNIT	PAPER NUMBER
2151	

DATE MAILED: 08/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *RCE of 5/15/2006*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-41* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-41* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 1-41 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No.

6,151,598 to Shaw et al.

As concerns claims 1, 15, 29, a server and a client (column 27, line 51); performing

context-based processing of a set of information items utilizing a set of context items to produce

context-processed information items, the context-based processing comprises one or more of

context filtering and context prioritizing (abstract, line 6); implementing the logic rules (column

8, lines 29-33; column 20, line 41) in connection with a relevance and importance matrices

(column 8, lines 30-34; column 24, lines 52-54; column 21, lines 33-36) associated with the

information items to further perform context-based processing; and dynamically adapting the

context-based processing to changing circumstances relating to the information items (updating,

figure 2, abstract line 7).

As concerns claims 2, 16 and 30, evaluate a utility function, producing an iteration

evaluation based on the utility function; and based on the iteration evaluation, doing one of

repeating the context-based processing and not repeating the context-based processing (abstract,

lines 6-7, updating and maintaining, column 4, lines 18-19).

As concerns claims 3, 17 and 31, wherein the information items are heterogeneous (column 3, line 66).

As concerns claims 4, 18 and 32, receiving at least one information item of the information items from a user input (column 4, lines 2-4).

As concerns claims 5, 19 and 33, wherein the context-based processing further comprises context processing at a first device wherein at least one information item is received from a second device (column 3, lines 60-63).

As concerns claims 6, 20 and 34, presenting at least one context-processed information item (column 21, lines 58-67) to a user.

As concerns claims 7, 21 and 35, wherein when processing comprises context prioritizing, the method further comprises presenting in prioritized order (inherent for context that is prioritized to be in a particular order).

As concerns claims 8, 22 and 36, further comprising transferring from a first device to a second device (column 3, lines 60-63; column 21, lines 58-67; one storage unit to another or from a storage unit to a display unit).

As concerns claims 9, 23 and 37, the machine readable medium of claim 15 wherein transferring further comprises intra-device transferring (column 3, lines 60-63; column 21, lines 58-67; when computer system as a whole considered as a single device).

As concerns claims 10 and 24, when processing comprises context prioritizing, transferring further comprises transferring in prioritized order (transferred to display and displayed to user in order).

As concerns claims 11, 25 and 38, wherein the context items comprise one or more of user context (abstract, line 8), computer context, and communication network context.

As concerns claims 12, 26 and 39, wherein user context comprises at least one of user identity, activity, activity start time, activity duration, activity location, user task, user location, and a list of devices accessible by a user (abstract, lines 8-12; column 4, line 3; authorized user implies user identity).

As concerns claims 13, 27 and 40, wherein computer context comprises at least one of hardware attributes, software attributes, operating system profile attributes, power reserves, power consumption rate, amount of available memory, amount of available storage, user interfaces, costs, usage policies and security and enforcement information (dictionary inherently contains any one or all of these terms).

As concerns claims 14, 28 and 41, wherein communication network context comprises at least one of network profile attributes, network security, network stability, data transfer rate, connection quality, transfer latency, error rate, network load, signal strength, cost, quality of service, usage policies and network protocols (dictionary inherently contains any one or all of these terms).

Response to Arguments

3.   Applicant's arguments filed May 15, 2006 have been fully considered but they are not persuasive.

The applicant argues Shaw does not disclose the newly added limitations of "implementing logic rules to perform the context filtering and prioritizing; and using the logic rules in connection with a plurality of relevance and importance matrices each associated with one of the plurality of information items to further perform context-based processing. The examiner disagrees since Shaw does disclose logic rules (column 8, lines 29-33; column 20, line 41) for filtering (column 21, line 29) and prioritizing (column 7, line 52) and relevance and

importance matrices (column 8, lines 30-34; column 24, lines 52-54; column 21, lines 33-36) to achieve context-based processing.
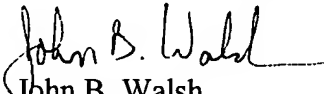
The applicant argues Shaw does not disclose dynamically adapting the processing. Shaw discloses updating (see abstract, figure 2) which implies that the processing is not static but dynamic since it changes over time through the updating.

Conclusion

4.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B. Walsh whose telephone number is 571-272-7063. The examiner can normally be reached on Monday-Wednesday from 5:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

John B. Walsh
Primary Examiner
Art Unit 2151